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**IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE**

KEVIN F. MCCOY and MARY C.)
GEDDES,)

Plaintiffs,)

v.)

MICHAEL J. DUNLEAVY, Governor)
of the State of Alaska,)

Defendant.)

Case No. 3AN-19-08301 CI

ANSWER TO FIRST AMENDED COMPLAINT

Defendant Michael J. Dunleavy, Governor of the State of Alaska, by and through the Office of the Attorney General, answers the complaint in this action as follows:

I. PARTIES

1. The defendant lacks the information necessary to admit or deny this allegation and therefore denies the allegation.

2. The defendant lacks the information necessary to admit or deny this allegation and therefore denies the allegation.

3. Admitted.

II. STANDING

4. Denied.

III. JURISDICTION AND VENUE

5. The defendant admits that the superior court has original jurisdiction over declaratory judgment actions pursuant to AS 22.10.020, but denies that a declaratory

judgment is proper in this case.

6. Admitted.

IV. ALLEGATIONS OF FACT

7. The defendant admits that the plaintiffs have accurately quoted a proclamation issued by the Governor on June 13, 2019. That proclamation speaks for itself.

8. The defendant admits that the media reported on a joint statement issued by Senate President Cathy Giessel and House Speaker Bryce Edgmon on June 24, 2019, stating that they believed that the Legislature should call itself into session and that they intended to hold floor sessions in Juneau; but that they lacked the votes necessary to change the Governor's call of the special session.

9. The defendant admits that the plaintiffs have accurately quoted a press release issued by the Office of the Governor

10. The defendant admits that the plaintiffs have accurately quoted the news story they cite. The remaining allegations of Paragraph 10 are denied.

11. The defendant admits that he used his veto to eliminate or reduce many items in the State's FY 2020 operating budget.

12. The defendant admits that a group of legislators gathered in Juneau on July 8, 2019 and purported to begin a special session of the Alaska Legislature. The House and Senate Journals speak for themselves. The remaining allegations of Paragraph 12 are denied.

13. Admitted.

14. The defendant admits that the plaintiffs have accurately quoted his amended proclamation. That proclamation speaks for itself.

V. CLAIMS FOR RELIEF

15. The defendant incorporates the responses above.
16. Denied.
17. The defendant incorporates the responses above.
18. Denied.
19. The defendant incorporates the responses above.
20. Denied.

AFFIRMATIVE DEFENSES

1. The case is moot.
2. The plaintiffs lack standing.
3. The plaintiffs' complaint fails to state a cause of action for which relief may be granted.
4. The plaintiffs' complaint is wrong as a matter of law.
5. The defendant reserves the right to assert additional defenses and other matters as the case proceeds.

The defendant seeks the following relief:

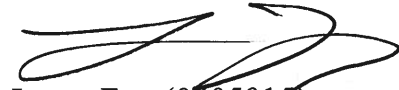
1. That the complaint be dismissed in its entirety with prejudice.
2. That the plaintiffs' prayer for relief be denied.
3. That the defendant be awarded costs and fees in the action.

4. That the Court award the defendant such other relief as may be just and equitable under the circumstances.

DATED December 2, 2019.

KEVIN G. CLARKSON
ATTORNEY GENERAL

By:



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CERTIFICATE OF SERVICE

I hereby certify that on this date, true and correct copies of the **Answer to First Amended Complaint** and this **Certificate of Service** were served via email and U.S.

Mail on the following:

Kevin F. McCoy
Mary C. Geddes
1113 N Street
Anchorage, AK 99501

 12/2/19

Virginia K. Bozeman Date
Law Office Assistant II

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